

Judge Chutkan is a respondent in this matter. To obtain a "moot" order from this Court and deny the Petitioner the relief she has requested; Judge Chutkan has issued multiple order and minute hearings on or about July 1, 2021.

Relief Requested

The Petitioner requests the Circuit Court to order the lower court to vacate those orders, issue a stay pending this the finalization of this matter with the exception of an order allowing the Petitioner to electronically file at the District Court level.

GROUND: DUE PROCESS HARM NOT ALLEVIATED NOR ADDRESSED BY ISSUANCE OF LOWER COURT JULY ORDERS

I. RULES ARE FOR THEE, NOT FOR ME [WE-ELITE]

If the Pandemic of 2020 has taught the American people anything is that there is an unofficial multi-tiered caste system in the United States that is entirely contrary to the official stance that all American citizens are entitled to the equal enforcement of the rule of law under the U.S. Constitution.

Mask mandates/social gatherings were issued by the state Governors only to have certain Governors openly flaunt violating the same mandates. Judicial Officers are no different.

For example, in this action already Judge Justin Walker knowingly and intentionally violated 28 U.S.C. 455 knowing that he had a conflict-of-interest hearing in this matter. Surprisingly, this D.C. Circuit did act to self-correct though Judge Walker has not been held publicly accountable by the D.C. Circuit for his misconduct.

The same misconduct Judge Walker was involved in Kentucky, of which he had a conflict of interest to hear this matter; Sixth Circuit Court of Appeals actually judicially created doctrine constructively repealing 28 U.S.C. 455.¹ A litigant has to be able to show harm by the conflict of interest in the Sixth Circuit Court of Appeals before a judge is required to recuse due to a conflict of interest.²

¹ See Exhibit A.

² See Exhibit B.

In Kentucky and the Sixth Circuit Court of Appeals; Judges can openly rewrite the will of Congress and the legislature to further a judicial bribery scheme.³

What harm did the Petitioner suffer, when the Sixth Circuit Court of Appeals refused to require Judge Greg Van Tatenhove to recuse? Judge Greg Van Tatenhove allowed his paramours employer to file untimely answer/responsive pleadings. Ms. Mischler is entitled to a default judgment against Judge Van Tatenhove's paramours employer but can't get the courts to address the default because of the judicial corruption.⁴

³ See Exhibit A and B. Ironically, it is a member of the Federalist Society, the group who screams about activist judges and judicial law creation who, as part of the panel engaged in judicial law creation to constructively repeal a Congressionally created law.

⁴ Matt Bevin never requested an extension of time. His employees did. They were represented by the same attorney Brent Irvin. Without getting leave to allow a late filing for Bevin; the Court granted dismissal. Despite having an extensive time to file late for multiple social workers; Irvin still filed untimely without additional leave. The Sixth Circuit Court of Appeals first falsified stating that Bevin and other defendants were never in default then later, stating the default was corrected. However, the defaults WERE NEVER CORRECTED. The only way the default was to be corrected is for leave of the court to file the late responsive pleadings, which never happened. How was all of this

Same here, Judge Chutkan **without due process notice** to Ms. Mischler granted an indefinite extension to file an answer when the Defendants only requested an additional thirty days.

II. THE ONE OUTSTANDING MOTION JUDGE CHUTKAN REFUSED TO ACKNOWLEDGE BECAUSE IT BENEFITS THE PETITIONER

Judge Chutkan, attempting to moot out the Writ of Mandamus to cover up her judicial misconduct still ignores Document 22, to allow the Petitioner to electronically file. That motion was filed 11/23/2020 and Judge Chutkan refuses to acknowledge that it is filed.

III. HARM FROM FAILURE TO PROVIDE DUE PROCESS NOTICE OR EVEN AN ORDER TO JUSTIFY DEPARTURE FROM THE RULE HAS YET TO BE RECTIFIED

Judge Chutkan is attempting to moot this petition, of which happened in part in 20-5143, IN RE: Michael Flynn.

allowed to occur and then fester? Because Judge Van Tatenhove had an undisclosed conflict of interest, and was ruling 100% in favor of his paramour's employer before it the conflict of interest became published on social media.

First, Ms. Mischler has already petitioned that Judge Chutkan be required to recuse.

Why? Because Judge Chutkan knowingly violated Ms. Mischler's due process rights.

How? Judge Chutkan issued a minute order granting multiple defendants an indefinite stay of filing an answer when those Defendants only requested a thirty day extension.

Harm? Multiple harms; 1) Due Process violation where Ms. Mischler was never noticed that an indefinite stay of filing answer was going to be heard, 2) Never given a chance to argue against the indefinite stay (minute order) 3) Due Process violation of never given a written order to why an indefinite stay to file an answer by the defendants was legally justifiable, (minute order).

Harm IS NOT RECTIFIED BY July 1. 2021
Judge Chutkan Minute Orders.

The Defendants are now ordered to issue an answer by July 23, 2021. Ms. Mischler requested this Court to order Judge Chutkan to order default judgment against the

Defendants for Ms. Mischler and then recuse in this petition in February 2021. Giving the Defendants the opportunity to claim immunity by July 23, 2021 when they should have filed any responsive pleadings in November 2021 DOES NOT ADDRESS THE DUE PROCESS HARM to the Petitioner.

The only way rectify the due process harm of no actual notice that an indefinite stay was being considered is to hold the Defendants in default judgment as requested by the Petitioner in her petition.

IV. CONCLUSION

There is no written legal order justifying why the Defendants had until July 23, 2021 to file responsive pleadings under Rule 12 when the Defendants only requested an extension until the end of November 2020

Again, it's ***elitism Rules are for thee not for me*** [We]. **Rules are for Ms. Mischler but not for the Defendants because they are above the rule of law** by the way Judge Chutkan issued her orders. Now that reporters

are investigating due to the Petitioners media posts;
Judge Chutkan acts.

Its too little, too late, by Judge Chutkan whose
actions fail to address her, the Judges action which
constitute the due process violation. If this Circuit
Court allows Judge Chutkan to hide her judicial
misconduct, ruling her July 2021 orders moot out the
petition; then Circuit Court too, has little respect for
requiring the rule of law to apply equally per the U.S.
Constitution mandates.

WHEREFORE, the Petitioner requests an EMERGENCY
order vacating the orders issued by Judge Chutkan after
this petition was filed, order that the Petitioner be
immediately allowed to electronically file in the
District Court, and a stay against any other orders by
the District Court until this matter is finalized.

Respectfully submitted,

Amy Mischler, Petitioner
July 9, 2021

CERTIFICATE OF COMPLIANCE

This motion complies with type-volume limitation of Fed. R. App. P. 27(d)(2)(A) because it contains 1,247 words, excluding the parts of the brief exempted by Fed. R. App. P. 27(d)(1)(E) because it has been prepared in a proportionally spaced typeface using Microsoft Word in 14-Point Courier New.

Respectfully submitted,

Amy Mischler, Petitioner

CERTIFICATE OF SERVICE

I HEREBY certify that on July 9, 2021 that a true copy was sent to all respondents by postal mail.

Amy Mischler